

Amendment for Application No.: 10/672,727  
Attorney Docket: CFA00030US

## **REMARKS**

### **Summary of The Office Action and the Amendment**

The Office Action rejected claims 6, 22, 28 and 34 under 35 USC § 112, first paragraph. The Office Action rejected claims 1-36 under 35 USC § 103(a). Each of these rejections and reasons why Applicant believes that the rejections should be reconsidered and withdrawn are discussed below.

Claims 2, 18, 24 and 30 have been canceled without prejudice and Claims 1, 3-17, 19-22 and 35-36 have been amended.

### **Telephone Interview**

Applicants and Applicants' representative wish to thank the Examiner for the telephone interview between the Examiner and Applicants' representative on May 8, 2006. During the interview, a draft of this amendment was reviewed by the Examiner and the Examiner indicated that the claims were allowable over the prior art of record but that a new search would be required. Therefore, Applicants are filing a Request for Continued Examination (RCE) along with this amendment.

During that interview, Applicants' representative asked the Examiner if he knew why the published application was renumbered which resulted in the paragraph numbers of the published application not matching those of the originally filed application. The Examiner said that he would check with the appropriate department at the PTO regarding this matter. Applicants thank the Examiner for looking into this matter.

The Examiner also stated that he would send a summary of the telephone interview to Applicants' representative.

### **Rejections Under 35 USC § 112**

Independent Claims 6 and 22 and dependent claims 28 and 34 (which depend from Claim 22) were rejected under 35 USC § 112, first paragraph.

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Office Action, Page 2. More specifically, the Office Action states that Claims 6 and 22 contain a term "non-linearly" that is not described in the specification and that the Examiner needs more information in order to examine the claim language "non-linearly." Office Action, Page 5. As the Examiner correctly noted on page 2 of the Office Action, an example of non-linear is illustrated by curves (B, C, B', C') illustrated in Figs. 14A and 14B as contrasted with straight line A, A'. As stated in paragraph [0076] (paragraph [0082] in the published application),

That is, referring to Fig. 14A, the image may linearly be changed as shown by a straight line A from the size in the trimming area designated by the first still image to the size in the trimming area designated by the N-th still image. Alternatively, the change speed of the size may be changed as shown by a curve B and a curve C. For example, in the case of setting the curve B, the end portion of the turning moving-image is acceleratively zoomed. Referring to Fig. 14B, similarly, the size may be set as shown by a straight line A' or it may be set as shown by a curve B' or C'. For example, in the setting of the curve C', the position of the trimming area is changed at a high speed in a start portion of the turning moving-image and it is changed at a low speed in an end portion thereof. (emphasis added).

As described above, Applicants believe that the term "non-linearly" is definite. However, Applicants have amended the claim to change "non-linearly" to "non-proportionally." If the Examiner still requires further information, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Based on the foregoing, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 USC § 112, first paragraph.

#### **Rejections Under 35 USC § 103**

Claims 1-36 were rejected under 35 USC § 103(a) as being patentable over Jeong et al. (U.S. Patent No. 6,690,878) (hereinafter, the "Jeong" reference) and further in view of Hieda (U.S. Patent No. 6,204,878) (hereinafter, the "Hieda" reference).

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Assuming arguendo that there was a motivation to combine the Jeong reference and the Hieda reference, the prior art reference (or references when combined) do not teach or suggest all of the claim limitations.

The claimed invention generates continuous still images by using trimming areas of all the extracted frames. It is possible to provide various operations (effects) by such extraction of trimming areas. For example, a pan operation, a tilt operation, a zoom-in operation or a zoom-out operation may be performed based on the designated trimming areas.

The Jeong reference is directed to a system of indexing frames so that a user can directly access a specific portion of recorded moving picture data. The Jeong reference does not teach or suggest "trimming areas of all the extracted frames."

The Hieda reference is directed to an image pickup device which receives a signal from an image sensor element and generates a moving image according to the characteristics of an external device connected therewith and a still image according to the characteristics of an external device connected therewith. The Hieda reference does not teach or suggest "trimming areas."

The Office Action states that at col. 5-6, lines 59-67 the Jeong reference teaches "selecting or trimming by detecting signal as predetermined reference value or set value or threshold value, i.e., determined to have switched between two frames." Office Action, Page 7. The cited text in the Jeong reference describes detection of a scene switch, i.e., by comparing two adjacent frames, whether a scene switch occurred is determined based on the difference between the two adjacent frames. When a scene switch is detected, an index is stored so that the user can directly access different scenes.

Neither the Jeong reference nor the Hieda reference, when taken either alone or in combination teach, *inter alia*, "a trimming designating unit adapted to designate trimming areas of the start frame and/or the end frame and a generating unit adapted to extract the frames in the selected range of image data designated by said range designating unit, cut out the trimming areas of all the extracted frames based on the trimming areas of said start and/or end frames

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designated by said trimming designating unit, and generate continuous still images from the trimming areas cut out of the extracted frames."

As the cited references either alone or in combination do not teach or suggest all of the limitations of Claim 1, Claim 1 is believed allowable.

Since Claim 1 is believed allowable, all of the claims depending therefrom (namely, Claims 3-16 and 35) are also believed allowable.

Independent Claim 17 is believed allowable for the same reasons as discussed above with reference to Claim 1.

Since Claim 17 is believed allowable, all of the claims depending therefrom (namely, Claims 19-23, 25-29, 31-34 and 36) are also believed allowable.

#### **Examiner's Questions**

As noted above, the Examiner requested clarification of "non-linear." An explanation is provided above with reference to the rejection under 35 U.S.C. § 112. Furthermore, Applicants have amended the claims to change "non-linearly" to "non-proportionally."

The Examiner also questioned use of the term "two frames." The claims as amended clarify that the "two frames" are a start frame of the selected range and an end frame of the selected range.

The Examiner requested that the claims be more explicit with regard to whether "cuts out" refers to the entire frame or a portion thereof. The claims have been amended to clarify that the cut out areas are based on the designated trimming areas.

Applicants believe that all of the Examiner's questions / concerns have been addressed herein. If the Examiner has further questions, Applicants request that the Examiner contact Applicants' under-signed representative at the number listed below.

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### CONCLUSION

Applicants respectfully submit that all of the claims pending in the application meet the requirements for patentability and respectfully request that the Examiner indicate the allowance of such claims.

Any amendments to the claims which have been made in this response which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account Number 502456.

Should the Examiner have any questions, the Examiner may contact Applicants' representative at the telephone number below.

Respectfully submitted,

5/8/06

Date

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